

D-AFS-K82006-CA

EC-2

960246



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

**75 Hawthorne Street
San Francisco, CA 94105**

July 15, 1996

Susan Frankel
USDA Forest Service
State and Private Forestry
630 Sansome Street
San Francisco, CA. 94111

Dear Ms. Frankel:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the project entitled **Nursery Pest Management, Humboldt Nursery, McKinleyville, CA.** Our review is pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The Forest Service analyzes ways to manage pests (weeds, disease, insects) at the Forest Service's Humboldt Nursery, located near McKinleyville, California. The DEIS analyzed four alternatives, including "No Action" (Alternative B). The three action alternatives are Alternative A. Full Integrated Pest Management (All methods permitted); Alternative C No Currently-Regulated Soil Fumigants; and Alternative D No Use of Inorganic Pesticides. The Forest Service's preferred alternative is Alternative A, Integrated Pest Management.

We commend the Forest Service for its effort to develop and adopt an Integrated Pest Management alternative. However there are significant risks associated with the use of some pest control methods and pesticides, such as the fumigant methyl bromide. Thus, we strongly recommend an Integrated Pest Management framework which uses chemicals only when other methods fail or when experience has shown that chemicals are the only solution. In our view, an Integrated Pest Management (IPM) facility would have employees "scouting" to determine what the pest pressures are and would use the least invasive pest control method that would reduce the problem. "Hard" chemicals would be used as a last resort and there would be a continuum of "soft" to "hard" solutions. We also strongly recommend adoption of a phased reduction of the fumigant methyl bromide and a commitment to adaptive management. We note the heavy use of methyl bromide fumigant (pg. S-10), its high cancer risk (pg. IV-55) and extreme toxicity (pg. IV-56), the potential for cost-effective and less invasive alternatives (pg. II-8) to fumigation, and that the production of the fumigant methyl bromide will be phased out by 2001. Therefore, there is a clear need for immediate reduction of the use of this chemical. We recognize that economics do affect IPM facilities and suggest that the "scouts" actively determine when the pest pressures reach the point where economic loss will occur without treatment.

Under the Clean Water Act (CWA), Federal agencies are required to comply with applicable State water pollution control requirements. The Basin Plan developed by the Regional Water Quality Control Board (approved by EPA under authority of the CWA) contains

a number of specific requirements on toxicity and pesticides. We are concerned that the DEIS did not specifically discuss the project's consistency with the applicable Basin Plan. Our concern regarding water quality impacts is further intensified by the occasional overflow of the runoff holding ponds and heavy use of very toxic chemical pesticides (pg. III-7).

Because of the above concerns, we have classified this DEIS as category EC-2, Environmental Concerns - Insufficient Information (see attached "Summary of the EPA Rating System"). Additional information should include a discussion of the pest management compliance history of the Nursery (e.g., storage, training and use of pesticides) and specific commitments and actions which will occur as a result of this plan. We appreciate the opportunity to review this DEIS. Please send two copies of the Final EIS to this office at the same time it is officially filed with our Washington, D.C. office. If you have questions, please call me at (415) 744-1584, or invite your staff to call Ms. Laura Fujii at (415) 744-1579.

Sincerely,

Carolyn Yau (for DF)

David J. Farrel, Chief
Office of Federal Activities

Enclosures:

EPA rating sheet for EISs

Detailed comments

Questions & answers on methyl bromide

Pollution Prevention checklist

Filename: humboldt.dei
MI002686

cc: RWQCB, Santa Rosa

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

COMMENTS

Pesticides

1. The DEIS states that the use of methyl bromide, a key component of the most commonly-used fumigant, is scheduled to be phased out by January 1, 2001 (pg. III-16). In fact, EPA has prohibited only production and importation of methyl bromide after this date (December 10, 1993 Federal Register at p. 65018). The phaseout applies to chemical production and imports, not use. Thus, existing methyl bromide stocks may be used until such time as the stock is exhausted. A Questions & Answers information sheet on Methyl Bromide has been enclosed for your use. We recommend that the Final EIS (FEIS) clearly state that the phaseout and January 1, 2001 prohibition relates to production and importation of methyl bromide and not use.
2. The fumigant methyl bromide is used heavily by the Nursery. Methyl bromide is a Class I controlled substance. Federal requirements emphasize the substitution, to the maximum extent practicable, of safe alternatives to Class I substances. The FEIS should clearly discuss the fall back options and safe alternatives which are being utilized to the maximum extent practicable in lieu of Class I substances.

Water Quality

The Nursery has a system of underground pipes, drop inlets and holding ponds to collect surface runoff during rainy periods. However, the DEIS states that these ponds occasionally overflow, are discharged into a pipe, and flow north into an unnamed tributary of the Little River (pg. III-7). We are very concerned with the potential water quality implications of these overflows which could contain sediment and pesticide residues. Furthermore, the most aquatically toxic pesticides such as methyl bromide, chloropicrin and diazinon are heavily used (pg. IV-13). We strongly urge the Forest Service to implement management actions to reduce the occurrence of overflow and minimize the potential discharge of sediments and pesticide residues into sensitive aquatic systems. We request that the FEIS describe actions which will be taken to resolve this problem.

General Comments

1. The preferred alternative would allow the replacement of mechanical and manual pest control methods with the increased use of herbicides. Emphasis is placed on the reduction of injuries from mechanical and manual methods which have been a significant concern. However, the DEIS does not appear to evaluate the relative risks of increased herbicide use in comparison with the risks of mechanical/manual methods. Furthermore, although no poisonings have occurred (pg. IV-24), the DEIS does not provide information on whether there have been symptoms of chemical exposure or on the compliance history of pesticide use (e.g., storage, training, and use requirements). The FEIS should provide the above information and discuss the risk, safety, and economic trade-offs between herbicide use and mechanical/manual pest control methods.

2. Although Integrated Pest Management is identified as the preferred alternative, specific features of the Integrated Pest Management plan (IPM Plan) are not described. The FEIS should describe in detail the features of the proposed IPM Plan. For instance, the FEIS should include information on recommended action thresholds; proposed application amounts, schedules, and application repetitions; possible control methods and monitoring commitments.
3. Page S-15 first paragraph, last line. What does "...using 1-0 or container stock"... mean. We recommend the summary not include "jargon".
4. Page S-17 The fourth bullet regarding the use of pesticide formulations that contain only inerts recognized as generally safe by EPA, or which are of low priority for testing by EPA (Lists 3 and 4) is misleading. Only List 1 inerts can be totally avoided since EPA policy requires List 1 inerts to be declared on the label. Disclosure of List 2, 3, or 4 inerts is not required. Therefore, it is impossible to restrict use to pesticides with only List 3 and 4 inerts. All pesticide products have to file a Confidential Statement of Formulation (CSF) with EPA. However, this information is considered Confidential Business Information (CBI) and cannot be disclosed.
5. A copy of the pollution prevention checklist on pest management is enclosed for your use. We recommend the Forest Service consider the implementation of the appropriate measures in the checklist as it carries out the pest management plan for the Humboldt Nursery. These pollution prevention commitments should be discussed in the FEIS.

